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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

JONATHAN V. DAVID,

Plaintiff,

VS.

WELLS FARGO BANK, NA; QUALITY  
LOAN SERVICE CORPORATION;  
MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.; and DOES  
1-100.

#### **Defendants.**

Case No.: 2:11-cv-01847-LDG-PAL

**ORDER GRANTING DEFENDANTS  
WELLS FARGO BANK, N.A. AND  
MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS MOTION  
TO DISMISS (DOC. 7) AND MOTION  
TO EXPUNGE PLAINTIFF'S LIS  
PENDENS (DOC. 8)**

Pending before the Court, Defendants, Wells Fargo Bank, N.A. (hereinafter Wells Fargo) and Mortgage Electronic Registration Systems, Inc. (hereinafter MERS) (collectively “Defendants”), Motion to Dismiss Plaintiff’s Complaint (Docket No. 7, the Court having reviewed the pleadings and papers on file, the Court having Notice that Plaintiff has failed to file a response to Defendants’ Motion to Dismiss, the Court being fully advised in the premises, and good cause appearing therefore.

1           **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that the Motion to  
2 Dismiss is granted and the Complaint is hereby dismissed with prejudice pursuant to F.R.C.P.  
3 12(b)(6) for failure to state a claim upon which relief can be granted.

4           **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** the Notice of  
5 Pendency of Action or Lis Pendens recorded by the Plaintiff on November 16, 2011 in the  
6 Official Records of the Clark County, Nevada bearing Instrument Number 201111160002755  
7 relating to this action and the real property that is the subject of this action located at 508  
8 Jimijo Ct., Henderson, Nevada 89053; APN:178-30-211-013, and legally described as:

9           LOT 80, BLOCK 2, OF TETON RANCH-UNIT 2, AS SHOWN BY MAP THEREOF  
10          ON FILE IN BOOK 80 OF PLATES, PAGE 62 IN THE OFFICE OF THE COUNTY  
11          RECORDER OF CLARK COUNTY, NEVADA AND AS AMENDED BY THAT  
12          CERTAIN CERTIFICATE OF AMENDMENT RECORDED DECEMBER 10, 1997 IN  
13          BOOK 971210 AS DOCUMENT NO. 00598, OFFICIAL RECORDS

14         is hereby cancelled, and this cancellation shall have the effect of an expungement of it pursuant  
15         to NRS 14.015 and it shall have from this day forward have no force or effect.

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1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that pursuant to NRS  
2 14.015(5), Plaintiff shall record a copy of this Order (or other appropriate notice) cancelling  
3 the Notice of Pendency of Action or Lis Pendens' with the Clark County Recorder's Office  
4 within five business days of its entry, and if there is a failure to do so, any party may record a  
5 copy of this Order.

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7 DATED this 29 day of February, 2012.  
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11 UNITED STATES DISTRICT COURT JUDGE

12 SUBMITTED BY:  
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14 WRIGHT, FINLAY & ZAK, LLP  
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